UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,719	10/17/2003	Jong-Phil Lee	44663	8798

7590   01/21/2010

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EXAMINER
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ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
01/21/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/686,719	LEE, JONG-PHIL
	Examiner	Art Unit
	MICHAEL C. LAI	2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _9/22/2009_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-14_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20100104

DETAILED ACTION

1. This office action is responsive to communication filed on 9/22/2009.

   Claims 1-14 have been examined.

Response to Amendment

2. The examiner has acknowledged the amended claim 9.

Response to Arguments

3. Applicant's arguments filed 9/22/2009 have been fully considered but they are

   not persuasive.

   In the remarks, the applicant argues in substance that: A) Applicant

   respectfully traverses the objection to the specification on the grounds that no

   support is provided for "computer-readable medium", because "computer-

   readable medium" was disclosed in the originally filed specification, at least in

   claim 9, where the original claims are a part of the original disclosure. B)

   Applicant amends claim 9 to more clearly recite statutory subject matter and

   submits that claim 9 overcomes the rejection under 35 USC § 101. C) Theimer

   fails to disclose an embedded web server driving a CGI/ASP program to

   generate a command for communication between the mobile phone and a

   telecommunication system using the web browser, displaying data of a selected

   menu stored in the mobile phone on the web browser according to the command

   and **updating a data updated in the web browser on the mobile telephone**

   according to the command, as recited in claim 1. D) Henry alone or in any

   combination, fails to disclose or suggest **updating a data updated in the web**

browser on the mobile telephone according to the command, and

transmitting a message confirming that data updated in the web browser has

been updated in the mobile telephone to the web browser, as recited in claim 1.

In response to A) "computer-readable medium" was recited in the preamble of

originally filed claim 9. However, the term has never been defined anywhere in

the original specification or claims. As a result, it is not clear exactly what the

term "computer-readable medium" stands for.

In response to B), as mentioned above, the term "computer-readable

medium" has never been defined anywhere in the original specification or claims.

As well known in the art, "computer-readable medium" can be any means that

can contain, store, communicate, **propagate**, or **transport** the program for use

by or in connection with the instruction execution system, apparatus, or device.

There is no evidence in the instant application that the term "computer-readable

medium" does not include means for propagating, or transporting purposes. As

such, the claim would fairly suggest to one of ordinary skill signals or other forms

of propagation and transmission media, or other items failing to be an

appropriate manufacture under 35 USC 101 in the context of computer-related

inventions. The examiner suggests using the term "computer-readable storage

medium" instead.

In response to C) As one skilled in the art knows when a user submits a form

through a Web browser, the HTTP server executes a program (often called a

CGI script or CGI program) and passes the user's input information to that

program via CGI. The program then returns information to the server via CGI

(see Microsoft Computer Dictionary, 5th Edition). Theimer discloses a mobile

telephone for internet applications comprising at least one Web server (se

abstract). Theimer further discloses communications between the Web server

and the Web browser/other servers via a CGI (see column 4, lines 16-26).

Theimer clearly teaches the limitation "an embedded web server driving a

CGI/ASP program to generate a command for communication between the

mobile phone and a telecommunication system using the web browser". Theimer

further discloses displaying on authorized browser 5 (see column 3, lines 49-64).

Theimer clearly teaches the limitation "displaying data of a selected menu stored

in the mobile phone on the web browser according to the command". As for the

limitation "**updating a data updated in the web browser on the mobile**

telephone according to the command", the examiner indicated in the office

action that Theimer and Hauduc fail to specifically disclose the limitation. It is the

combination of Theimer, Hauduc, and Henry that teaches this limitation. See D).

In response to D) Henry discloses a method over an interconnecting network

using a web browser to manually make changes to the configuration of a digital

transmitter device using an embedded-web server in the digital transmitter device

(see paragraphs 0004, 0013, and 0014). Henry further discloses, for example,

transmitting a message from the user of the digital transmitter device to the user

of the remote device after the configuration has been updated (see Figure 4, step

418 and paragraph 0037). The combination of Theimer, Hauduc, and Henry

clearly teaches the limitation of "updating a data updated in the web browser on

the mobile telephone according to the command, and transmitting a message

confirming that data updated in the web browser has been updated in the mobile

telephone to the web browser".

Thus, in view of such, the rejection is sustained as follows:

Specification

4. The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

Correction of the following is required: Applicant fails to provide antecedent basis

for the claim terminology "computer-readable medium" in claims 9-14.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 9-14 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claim 9 recites the limitation of "A computer-readable medium storing..."

However, Applicant fails to provide antecedent basis for the claim terminology

"computer-readable medium." A "computer-readable medium" can be any

means that can contain, store, communicate, **propagate**, or **transport** the

program for use by or in connection with the instruction execution system,

apparatus, or device. As such, the claim would fairly suggest to one of ordinary

skill signals or other forms of propagation and transmission media, or other items

failing to be an appropriate manufacture under 35 USC 101 in the context of

computer-related inventions. Claims 10-14 depend on claim 9. The claims are

being rejected as failing to be limited to embodiments which fall within a statutory

category.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
are such that the subject matter as a whole would have been obvious at the time the invention was made to
a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
negatived by the manner in which the invention was made.

8. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Theimer (US 6,519,241B1, hereinafter Theimer), in view of Hauduc et al. (US

6,993,568 B1, hereinafter Hauduc), and further in view of Henry et al (US

2003/0195952 A1, hereinafter Henry).

Regarding claim 1, Theimer discloses a device for managing information data

in a mobile IP-based mobile telephone, the device comprising:

an embedded web server for displaying a homepage of the mobile

telephone on a web browser when linked to the mobile telephone through the

web browser of a telecommunication system [FIG. 1 Web server 2, Authorized

browser 5, and column 3, lines 26-48], driving a CGI/ASP program to generate a

command for communication between the mobile phone and the

telecommunication system using the web browser [As one skilled in the art

knows when a user submits a form through a Web browser, the HTTP server

executes a program (often called a CGI script or CGI program) and passes the

user's input information to that program via CGI. The program then returns

information to the server via CGI (see Microsoft Computer Dictionary, 5th Edition).

Theimer discloses communications between the Web server and the Web

browser/other servers via a CGI (see column 4, lines 16-26). Theimer clearly

teaches this limitation], displaying data of a selected menu stored in the mobile

telephone on the web browser according to the command [col. 3, lines 49-64,

display on authorized browser 5];

a CGI/ASP program of server driven by the embedded web server to

generate a command for communication between the mobile telephone and the

telecommunication system using the web browser [col. 4, lines 16-26];

a homepage of the mobile telephone for displaying information

management menus of the mobile telephone [col. 1, lines 34-44]; and

a memory for storing data of the information management menus [col. 4,

lines 8-13, storage medium 12].

Theimer discloses substantially all the limitations, but fails to specifically

disclose a language pack storing at least one language so that the information

management menus can be displayed in a selected language.

However, Hauduc discloses the idea of using language packs that can

convert the content of the Web pages into the desired language and render the

translated content for the Web client [col. 2, lines 35-49]. Thus it would have

been obvious to a person with ordinary skill in the art at the time the invention

was made to modify the teaching of Theimer by incorporating Hauduc's idea for

the purpose of providing the content of a Web application in the client's preferred

language, thereby providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described

above, but fail to specifically disclose about updating a data updated in the web

browser on the mobile telephone according to the command and transmitting a

message confirming that data updated in the web browser has been updated in

the mobile telephone to the web browser. However Henry discloses a method

over an interconnecting network using a web browser to manually make changes

to the configuration of a digital transmitter device using an embedded-web server

in the digital transmitter device [para. 0004, 0013, 0014, and 0037]. Thus it

would have been obvious to a person with ordinary skill in the art at the time the

invention was made to modify the teaching of Theimer and Hauduc by

incorporating Henry's idea for the purpose of synchronizing the web browser with

data on mobile phones by updating a data on the mobile phone via the web

browser and transmitting a message confirming that data updated in the web

browser has been updated in the mobile telephone to the web browser, thereby

removing the burden for an administrator of the interconnecting network [para.

0004].

Regarding claim 2, Theimer further discloses wherein said information

management menus represent information of the mobile telephone [col. 1, lines

34-44].

Regarding claim 3, Theimer discloses a method for managing information

data in a mobile IP-based mobile telephone, the method comprising the steps of:

accessing the mobile telephone through an Internet web browser of a

telecommunication system [FIG. 1, Authorized browser 5, and column 3, lines

26-48];

displaying a homepage of the mobile telephone on the web browser [col.

1, lines 34-44];

displaying information management menus in the selected language [col.

3, lines 49-64, display on authorized browser 5];

when one menu is selected from the information management menus,

driving, by an embedded web server of the mobile phone, a CGI/ASP

program of the mobile phone to generate a command, and displaying data of

the selected menu stored in the mobile phone on the web browser according

to the command [As one skilled in the art knows when a user submits a form

through a Web browser, the HTTP server executes a program (often called a

CGI script or CGI program) and passes the user's input information to that

program via CGI. The program then returns information to the server via CGI

(see Microsoft Computer Dictionary, 5th Edition). Theimer discloses

communications between the Web server and the Web browser/other servers

via a CGI (see column 4, lines 16-26). Theimer clearly teaches this

limitation];

Theimer discloses substantially all the limitations, but fails to specifically

disclose a language pack storing at least one language so that the information

management menus can be displayed in a selected language. However, Hauduc

discloses the idea of using language packs that can convert the content of the

Web pages into the desired language and render the translated content for the

Web client [col. 2, lines 35-49]. Thus it would have been obvious to a person

with ordinary skill in the art at the time the invention was made to modify the

teaching of Theimer by incorporating Hauduc's idea for the purpose of providing

the content of a Web application in the client's preferred language, thereby

providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described

above, but fail to specifically disclose about data is updated in the web browser

and same data updated in the mobile telephone according to the command and

transmitting a message of successful update to the web browser. However

Henry discloses a method over an interconnecting network using a web browser

to manually make changes to the configuration of a digital transmitter device

using an embedded-web server in the digital transmitter device [para. 0004,

0013, 0014, and 0037]. Thus it would have been obvious to a person with

ordinary skill in the art at the time the invention was made to modify the teaching

of Theimer and Hauduc by incorporating Henry's idea for the purpose of

synchronizing the web browser with data on mobile phones by updating a data

on the mobile phone via the web browser and transmitting a message confirming

that data updated in the web browser has been updated in the mobile telephone

to the web browser, thereby removing the burden for an administrator of the

interconnecting network [para. 0004].

Claims 4-5 substantially incorporate all the limitations of claims 1-3. The

reasons for the rejection of claims 1-3 apply to claims 4-5. Therefore claims 4-5

are rejected for substantially the same reasons.

Regarding claims 6-7, Theimer further discloses wherein said command

includes a standard protocol for communication between the mobile telephone

and the telecommunication system using the web browser [col. 4, lines 16-25].

Claim 8 is of the same scope as claim 2. It is rejected for the same reason as

for claim 2.

Claims 9-14 are of the same scope as claims 3-8. They are rejected for the

same reasons as for claims 3-8.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Applicant is reminded that in amending in response to a

rejection of claims, the patentable novelty must be clearly shown in view of the

state of the art disclosed by the references cited and the objection made.

Applicant must show how the amendments avoid such references and

objections. See 37 CFR 1.111(c).

11. Parry, US Patent Number 7,002,703 B2, has taught methods of using an

embedded Web server on a printing device to automatically download desired

web-based data from a remote Web site.

Examiner's Note: Examiner has cited particular columns and line numbers in

the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and

are applied to specific limitations within the individual claim, other passages and

figures may apply as well. It is respectfully requested from the applicant in

preparing responses, to fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. LAI whose telephone number is (571)270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

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04JAN2010

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